IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MELVIN LEWIS CLARK,

v.

:

CIVIL ACTION

Petitioner,

:

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WARDEN SCI FRACKVILLE, et al.,

NO. 15-cv-938

FILED

MAR - 1 2016

Respondents.

ORDER

MICHAEL E. KUNZ, Clerk By_______Dep Clerk

AND NOW, this 2974 day of FEBRIAN

, 2016, upon

careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States

Magistrate Judge Lynne A. Sitarski, IT IS ORDERED that:

- 1. The Report and Recommendation is APPROVED and ADOPTED.
- 2. The petition for a writ for habeas corpus filed pursuant to 28 U.S.C. § 2254 is DISMISSED with prejudice.
- 3. There is <u>no</u> basis for the issuance of a certificate of appealability.

BY THE COURT:

GERALD A. MCHUGH

J.